



Kansas Department of Health and Environment

Long Term Care Program FACT SHEET

APRIL 2002, Vol. 23, No. 2

www.kdhe.state.ks.us/bhfr

A NEWSLETTER ON REGULATIONS AND POLICIES AFFECTING LONG TERM

PLEASE ROUTE THIS *Fact Sheet* TO NURSING STAFF AND OTHER INTERESTED PARTIES IN YOUR FACILITY. THIS PUBLICATION MAY BE COPIED OR ACCESSED THROUGH THE INTERNET AT www.kdhe.state.ks.us/bhfr

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The Long Term Care Program Fact Sheet is a newsletter published by the Kansas Department of Health and Environment and sent quarterly to all nursing facilities, long term care units in hospitals, critical access hospitals, intermediate care facilities for the mentally retarded and nursing facilities for mental health. This newsletter provides important up-to-date information concerning regulations and policies that affect long term care providers.

Recalled Sprinkler Heads

Central Sprinkler Co., an affiliate of Tyco Fire Products LP of Lansdale, Pennsylvania, has agreed to replace 35 million of their fire sprinklers. Gem Sprinkler Co. and Star Sprinkler Inc. agreed to replace about 167,000 of their sprinklers. There will be no charge to consumers for the replacement.

According to the Consumer Product Safety Commission press release, laboratory tests found that most of the sprinkler heads would function during fires, but "certain tested heads required higher water pressure to activate than may be available in particular buildings." The replacements will be phased in according to priority determined by the age of the sprinklers, their condition and the population affected. **Nursing homes and hospitals will be given priority. Please note that Central Sprinkler is not notifying hospitals and nursing homes of the recall.** Hospitals and nursing homes can call 1-800-871-3492 for more information on how to identify sprinklers covered in the replacement program. Information is also available at www.SprinklerReplacement.com.

Hospitals and nursing homes need to check the fire protection system in their facilities to determine if the sprinklers need replaced. The provider can accomplish

this by examining several sprinkler heads in different areas of the building to see if any have the words "CENTRAL" or "STAR," the letters "CSC," the letter "G" in triangle, or a star-shaped symbol stamped on either the metal sprinkler frame or on the deflector. If any of these words are on the head, the sprinkler is part of the recall. If the provider's sprinkler heads are part of the recall, the provider should immediately contact Central, Star, or Gem Sprinkler Companies, depending on the specific heads involved, to obtain instructions for filing a claim.

The Centers for Medicare & Medicaid services have stated that states and providers will have to the end of this year to identify and replace recalled sprinkler heads. Providers that have not made good progress in replacing recalled sprinkler heads will be cited on their next annual survey (beginning in January of 2003) under tag K-62 for failure to maintain their sprinkler system. The judgement of "good progress" will be left to the individual surveyor to determine at the time of the survey. Generally, "good progress" would include documentation from Central, Star, or Gem that the company has been notified that the facility has the recalled heads and that a letter of commitment to place the facility on the list to be fitted with new sprinkler heads has been issued and received by the facility. The Kansas State Fire Marshal's office is responsible for conducting the surveys and issuing the citations related to this issue.

ABC's of Providing Long Term Care in Kansas

On March 12 the first *ABC's of Providing Long Term Care* in Kansas was conducted in Topeka. Although

only one third of the individuals who pre enrolled were in attendance, the response was very positive. The three hour sessions gave providers and potential providers the opportunity to discuss their specific concerns with staff of state agencies. The next *ABC's of Long Term Care* is planned for July 18 in the auditorium of the Kansas Masonic Home in Wichita. The Masonic Home is located just off of West Kellogg on Seneca Street. Parking is available on the west side of the campus. Attached to this issue of the FACT SHEET is an enrollment form. Participants are asked to complete the form and return it to KDHE.

The *ABC's of Long Term Care* is intended to provide an opportunity for agency staff to share information with current and potential providers on federal and state regulations and programs related to long term care services in Kansas. Representatives will be available from the State Fire Marshall's Office, the Kansas Department of Health and Environment and the Kansas Department of Aging. Pre-enrollment is requested to ensure that appropriate staff are present and handouts are available for attendees. KDHE and KDOA are grateful to the Kansas Masonic Home for agreeing to host this event.

MDS, RAPs and Care Planning

Accurately completing the resident assessment instrument and developing and implementing effective comprehensive care plans are essential components to good care in a nursing facility. Beginning later this year, the Centers for Medicare & Medicaid Services plans to launch a new initiative to inform the public about the quality of care provided in certified skilled nursing facilities and certified nursing facilities. A new set of quality indicators is in the process of being field tested in six states. This research project will end this fall and shortly after CMS plans to make the new quality indicators for all certified facilities available to the public on their website. The new quality indicators will be based on MDS assessments. This will be another reason for facilities to ensure that assessments are accurate. The MDS and RAPs class schedules are posted on the KDHE website and also on the site that facilities access to submit MDS assessments. The KDHE website address is

www.kdhe.ks.us/bhfr/mds_oasis/index.htm.

Attached to this issue of the FACT SHEET is the current MDS, RAPs/Care Planning training schedules and the enrollment form. Classes have not been scheduled for June to ensure staff are available to conduct trainings for the new prospective payment system for swing bed hospitals. Please check the training schedules on the web for additional training dates and locations.

Exemplary Nursing Facility Awards

The following nursing facilities were recognized by Secretary Graeber for exemplary care. The facilities were in full compliance with all licensure and certification requirements. In addition, they had developed programs that resulted in enhanced care and quality of life outcome

for their residents.

q Citizens Medical Center, LTCU, Colby. This facility implemented an exemplary care management system that assisted residents to perform activities of daily living at their highest practical level. A second exemplary program assisted residents to improve or retain their abilities in the area of mobility.

q Cumbernauld Village, Winfield. Cumbernauld Village developed and implemented a program to assist residents to improve their abilities to perform activities of daily living.

Secretary Graeber Initiates New Award

Secretary Graeber will be issuing a letter to each long term care facility that achieves a no deficiency resurvey. A no deficiency resurvey indicates that staff of the facility have worked together to achieve quality care and services for their residents. The first facility to receive the new deficiency recognition was Citizens Medical Center, LTCU in Colby. A letter and the certificate from the Secretary was mailed to Citizens Medical Center on February 21, 2002.

Credentialing Update

•Dietitian License Renewals

Renewal notices were mailed to the 379 Kansas licensed dietitians with license expiration dates of February 28, 2002. Second notices were mailed on March 6, 2002 to those dietitians who had not yet applied for renewal, notifying them that they can renew late if their renewal materials are postmarked by March 28, 2002 and accompanied by the renewal fee and additional late fee. After March 28, 2002, licensees will have to meet reinstatement requirements as defined in K.A.R. 28-59-5a.

•Adult Care Home Administrator Regulation Revisions

The Board of Adult Care Home Administrators is in the process of reviewing K.A.R. 28-38-18 through 28-38-30, Kansas Rules and Regulations for Licensure of Kansas Adult Care Home Administrators. A Public Hearing will be held once the regulation revisions have been submitted to the Office of the Attorney General. A notice of the Public Hearing will be published in the *Kansas Register*.

•Kansas Nurse Aide Registry

Health Occupations Credentialing (HOC) has changed the information reported from the nurse aide registry. Subsequent to discussions with the Immigration and Naturalization Services (INS) and Department legal counsel, we are prepared to add information about the INS status of aides. There will be a slight change in the information reported to callers of the registry. Currently, the data reflects:

- < whether the individual is an aide on the registry,
- < whether he or she is "current" with regard to the

- < federal and state regulations for aides having no lapse of employment of 24 consecutive months, the date of the most recent criminal record request, and
- < any record of abuse, neglect, exploitation, or
- < any record of criminal prohibition, or
- < any record of federal exclusion from Medicare/Medicaid programs.

The information that will be added, once INS provides it, is whether there is any record that they are "not authorized by the INS" to be working in the United States. The programming of the data base has to be modified to reflect the categories that print on the confirmation letter. The Nurse Aide Registry Confirmation Notice will include, in the bottom portion of the page, the **Prohibition type** – with identifying letters (see below) and a **description**.

A (abuse)

N (neglect)

E (exploitation)

S (settlement–rare but may occur)

CKS (Kansas Criminal Conviction–prohibiting employment)

FEDEX (Federal Exclusion–notice is received from OIG and is usually time limited)

INS (INS Not authorized–INS will notify KDHE of any status or change in status)

•Criminal Records Checks

The notices of employment prohibitions are significantly fewer compared to last year. Last year as of March 1, 85 individuals had been prohibited compared to 58 individuals prohibited by March 1, 2002. This amounts to a 32 percent decrease. However, the number of criminal record requests received and the number of individuals with some type of criminal history remains comparable with last year. Please remember, criminal records are confidential and can only be shared with the person who is the subject of the request. The Office of the Attorney General determined that KBI can give KDHE anything it would generally provide to the public. Therefore, KBI has been providing any conviction information (whether prohibited crimes or other non-prohibited crimes, including misdemeanor crimes and arrests for the past year) to KDHE. KDHE then provides this information to administrators and operators.

•Addressing the Shortage of Health Care Workers

HOC has notified nursing schools of the following two methods students in nursing education programs can challenge the state certification test to become a home health aide. When the student substantially completes all content and clinical experience deemed equivalent to the home health aide training program, and, after the student has completed a course or courses that have been prior approved as substantially equivalent.

The difference in these two methods is that the

nursing course does not have to be completed in order for equivalency in training to be conferred. This allows a student who has completed all the necessary home health aide content to take the test and become certified.

However, if the student elects to apply for equivalency at a later time, then HOC has a record of which classes contain equivalent content and clinical experience without the nursing department having to assess the content each time. The student can provide a transcript listing the courses passed, and KDHE compares this information to the courses on record as "equivalent."

•New Options for Schools and Adult Care Homes

The Skills Checklist for Employment Verification has been revised and can now be given in an educational laboratory setting. It has a new name - Kansas Nurse Aide Task Checklist for Employment Verification - and is available on our website, or it can be obtained by contacting Martha Ryan at (785) 296-0058 or mryan@kdhe.state.ks.us. The Task Checklist for Employment Verification must be administered by a registered professional nurse. The checklist is used for nurse aides who have had 24 consecutive months of not working or nurse aides who are unable to obtain employment verification information.

HOC has developed a **refresher course** for nurse aides. The course is an alternative for nurse aides who have not worked within the past 24 months or who are unable to obtain employment verification information. The guidelines and frequently asked questions and answers and forms appear on our website. Course requirements are as follows:

- ' Sponsored by an approved sponsor
- ' Course application submitted three weeks prior to the start-date of the course
- ' The instructor is an approved nurse aide course instructor
- ' Rosters and identification slips sent to HOC at the conclusion of the course

When HOC receives notice that a nurse aide has successfully completed the Task Checklist for Employment Verification or the refresher course, the registry employment eligibility status is updated.

•Revised 90-Hour Certified Nurse Aide Instructor Manual

The revised 90-Hour Certified Nurse Aide (CNA) Instructor Manual has been mailed to sponsors and instructors who have taught a CNA course in the past year. The major changes to the manual include:

- < A new Kansas Nurse Aide Part I - NATCEP Task Checklist (replaces the Part I Skills Competency Checklist). The task checklist can be given in a hospital, educational laboratory or adult care home. Upon successful completion, the checklist is given to the student.
- < A new Kansas Nurse Aide Part II - NATCEP

Checklist. May be used to document student knowledge and skills at the conclusion of the nurse aide course. This also should be given to the student.

- < New forms (updated mailing address).
- < New Alternative Practice Setting Experience for CNA instructor applicants. Designed for registered nurses who have geriatric, long-term care experience but not specifically with an adult care home. Evaluated for meeting requirements to be a CNA instructor.

If you need a copy of the revised manual, please contact Martha Ryan at (785) 296-0058 or mryan@kdhe.state.ks.us.

O Resources for Quality Care

Ouslander, J. In continence Management in Long-Term Care. *Annals of Long Term Care*. 2000;8(6):35-41. Guidelines and algorithms are identified that will assist staff in addressing and developing effective methods for decreasing incontinence in residents. Follows the principles found in the Resident Assessment Instrument process.

Capezuti, E. Preventing Falls and Injuries While Reducing Siderail Use. *Annals of Long Term Care*. 2000;8(6):57-63. Article contains an evaluation for use of side rails and presents concrete alternatives to the use of side rails.

Resnick, B. Weight Loss and Failure to Thrive: Evaluating and Motivating Older Adults Toward Recovery. *Annals of Long Term Care*. 2001;9(7):21-31. An excellent article on the issue of involuntary weight loss. This article will assist facilities in developing systems to identify and treat involuntary weight loss in older adults.

The March 2002 issue of the *Journal of Gerontological Nursing* was devoted to culture change in nursing facilities. This issue would be beneficial for nursing facilities who are considering changing their systems to a more resident focused model.

The above articles and journal are available through the interlibrary loan system through your public library.

ANE ISSUE STATISTICS 12/01/01 to 2/28/02
Hotline Calls Assigned for Investigation

<u>Facility Mandated Reports of ANE</u>		<u>Non-facility Reports of ANE</u>	<u>General Care Issues</u>
Total	428	42	313
December	115	13	81
January	149	15	123
February	164	14	109

*Licensure Category

Correction Orders

2001 Quarters

1st 2nd 3rd 4th

Inappropriate or unauthorized use of restraint	0	2	0	0
Inadequate Range of Motion (ROM) Services	0	0	2	0
Inadequate Inservice Education	0	0	2	0
Disaster Preparedness	0	0	1	0
Inadequate Policies & Procedures for Special Care Unit (SCU)	0	0	1	0
Inadequate supervision	2	2	0	0
Inadequate or inappropriate hygiene and skin care	3	2	0	0
Inadequate or unqualified staffing	2	5	2	3
Unsafe medication administration or storage	4	3	4	1
Inadequate or inappropriate dietary/nutritional services	3	1	2	0
General sanitation and safety	1	2	10	2
Inadequate accounting of funds	1	0	1	0
Inadequate administration	3	2	1	0
Other:				
ANE issues	2	3	4	4
Inappropriate admissions	1	1	1	1
Resident Functional Capacity Screen	3	3	3	2
Negotiated Service Agreement	8	4	7	2
Health Care Services	6	3	4	2
Inadequate documentation of resident records	1	1	0	0
Civil Penalties	7	1	4	2
Correction Orders	19	8	13	10
Bans on Admission	8	8	7	4

*A correction order or civil penalty may consist of multiple issues summarized within the licensure categories above.

FEDERAL REMEDIES -CATEGORIES 2 & 3 - 2001 Quarters

	1st	2nd	3rd	4th
Civil Monetary Penalties Recommended	11	6	12	6
Denial of Payment for New Admissions Imposed	30	21	13	7
Terminations	1	1	0	0
NOTC (No opportunity to Correct)	36	28	9	19

N Enrollment Form N

ABC'S OF PROVIDING LONG TERM CARE IN KANSAS

Name _____

Address _____

Day-time phone number _____

' Current provider " Potential provider

TYPE OF LICENSURE - CHECK ALL THAT APPLY.

- " Nursing facility
- " Home Health Agency
- " Home Plus
- " Assisted Living/Residential Health Care
- " Adult Day Care

AREAS OF INTEREST - CHECK ALL THAT APPLY.

- _____ How to apply for a license
- _____ Preadmission screening & CARE Program
- _____ Life Safety code requirements for health care facilities
- _____ Home & Community Based Serv Waiver Program
- _____ How to enroll for Medicare/Medicaid certification
- _____ Kansas Medicaid Program
- _____ Providing adult day care, respite care or dementia care in an adult care home

INDICATE SESSION:

" Session I 9:00 AM to 12 Noon " Session II 1:00 PM to 4:00 PM

PLACE: Kansas Masonic Home, 401 South Seneca Street, Wichita
Parking is located on the west side of the facility

DATE: July 18, 2002

**f RETURN THIS ENROLLMENT FORM TO TAMARA WILKERSON,
CERTIFICATION COORDINATOR, BHF, KDHE, 1000 SW JACKSON, STE 330,
CURTIS STATE OFFICE BUILDING, TOPEKA, KS 66612-1365f**

MDS 2.0 Basic Training Schedule:
Spring, 2002

Date	Time	Location	Sponsor
Wednesday April 3, 2002	8:30 a.m. - 4:00 p.m.	Butler County Community College Student Center, Purple Room 901 S. Haverhill Road El Dorado 316-322-3298	KDHE
Tuesday May 14, 2002	8:30 a.m. - 4:00 p.m.	Ft. Hays State University Trails Room, Memorial Union 600 Park St. Hays, Kansas 67601 785-628-5303	KDHE
Wednesday May 22, 2002	8:30 a.m. - 4:00 p.m.	Hutchinson Community College C.C. Shear's Technical Theater 815 N. Walnut CEUs Hutchinson, Kansas Offered 620-665-4994 or 620-665-3500	HCC
Contact Hutchinson Community College for enrollment information.			

RAPs and Care Plan Training Schedule:
Spring, 2002

Date	Time	Location	Sponsor
Wednesday, April 10, 2002	8:30 a.m. - 4:00 p.m.	Butler County Community College Student Center, Purple Room 901 S. Haverhill Road El Dorado 316-322-3298	KDHE
Wednesday, May 15, 2002	8:30 a.m. - 4:00 p.m.	Ft. Hays State University Trails Room, Memorial Union 600 Park St. Hays, Kansas 67601 785-628-5303	KDHE
Thursday, May 23, 2002	8:30 a.m. - 4:00 p.m.	Hutchinson Community College C.C. Shear's Technical Theater 815 N. Walnut Hutchinson, Kansas 620-665-4994	HCC
Contact Hutchinson Community College for enrollment information.			

TRAINING ENROLLMENT FORM FOR MDS OR RAPS/CARE PLANNING

" MDS " RAPS/CARE PLANNING

PHONE NUMBER (very important) _____

PLEASE ENROLL ME/US FOR THE TRAINING SCHEDULED ON _____

(location)

3. _____ 6. _____

- You may fax form to (785) 296-1266 or e-mail to kjenista@kdhe.state.ks.us.
- Please bring a copy of the RAI User's Manual with you to the MDS and RAPS classes.
- Be sure to wear comfortable clothing.